

Notice of Allowability

Application No.

10/611,613

Examiner

John H Le

Applicant(s)

PENOV ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-35.
3. ☒ The drawings filed on 30 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 06/20/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

Reasons for Allowance

1. Claims 1-35 are allowed.
2. The following is an examiner's statement of reasons for allowance:

In combination with other limitations of the claims, the cited prior arts fails to teach steps of reading a test file containing (i) one or more code sections that identify one or more software components to test, (ii) one or more location sections that identify one or more locations to run the one or more software components, (iii) an expandable variation section that associates the one or more software components with the one or more locations, and (iv) an expansion section that defines rules for expanding the expandable variation section; expanding the expandable variation section to create one or more expanded variation sections, each associating a particular one of the one or more software components with a particular one of the one or more locations, as recited in claim(s) 1 and 8.

In combination with other limitations of the claims, the cited prior arts fails to teach steps of: loading and parsing a test file containing (i) one or more code sections that identify one or more software components to test, (ii) one or more location sections that identity one or more locations to run the one or more software components, (iii) an expandable variation section that associates the one or more software components with the one or more locations, and (iv) an expansion section that defines rules for expanding the expandable variation section; creating one or more expanded variation sections from the expandable variation section, each associating a particular one of the

one or more software components with a particular one of the one or more locations, as recited in claim(s) 16 and 23.

In combination with other limitations of the claims, the cited prior arts fails to teach one or more code sections that identify one or more software components to test; one or more location sections that identify one or more locations to run the one or more software components; at least one expandable variation section that associates the one or more software components with the one or more locations; and an expansion section that defines rules for creating one or more expanded variation sections and associating a particular software component with a particular location, as recited in claim(s) 29.

U.S. 2004/0123272 discloses a systematic process and automated tool that provides testing of software requirements to flush out logical errors. The testing is performed through execution of test scenarios against software requirements expressed in their logical formats. Once the software requirement is entered in a textual format in box, the user preferably translates the requirement text to a logical format that is parsable into programming code. A preferable logical format is a pseudo-code or grammar that specifies an unambiguous set of rules for a language, such as structured requirements language (SRL). '272 fails to specify one or more code sections that identify one or more software components to test; one or more location sections that identify one or more locations to run the one or more software components; at least one expandable variation section that associates the one or more software components with the one or more locations; and an expansion section that defines rules for creating one or more expanded variation sections and associating a particular software component

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with a particular location, as now recited in claims 1, 8, 16, 23, and 29 of the present invention.

USP 6,353,897 discloses an apparatus and method for testing object-oriented software includes a software test framework that includes one or more test drivers and one or more testcases for each test driver. '897 fails to specify one or more code sections that identify one or more software components to test; one or more location sections that identify one or more locations to run the one or more software components; at least one expandable variation section that associates the one or more software components with the one or more locations; and an expansion section that defines rules for creating one or more expanded variation sections and associating a particular software component with a particular location, as now recited in claims 1, 8, 16, 23, and 29 of the present invention.

U.S. Patent No. 5,742,754 discloses an automated software testing process that reduces the amount of human interaction and simultaneously tests software products on a multiplicity of computer hardware configurations. The job initialization request may contain all of the job defining parameters. By way of example, the initialization request may identify the software product being tested, whether there are any software product patches for testing, whether tests coverage testing is requested. Once the user-defined analysis rules and summary report are received from the user, the server activates a data reduction, which analyzes and assigns to the generated test suite logs and test coverage data files a proper translation. '754 fails to specify one or more code sections that identify one or more software components to test; one or more location sections

that identify one or more locations to run the one or more software components; at least one expandable variation section that associates the one or more software components with the one or more locations; and an expansion section that defines rules for creating one or more expanded variation sections and associating a particular software component with a particular location, as now recited in claims 1, 8, 16, 23, and 29 of the present invention.

USP 5,513,315 discloses a system and method for automatically testing software using a deterministic acceptance test and random command sequence selections to more rapidly uncover errors in computer software. A results analyzer checks test parameters following the execution of each of a series of predetermined test commands and a series of random test commands to determine if the commands were properly executed. The test command sequences and test results determined by the results analyzer are stored in a log file, which may be examined by the tester. The randomly selected test command sequence is stored in a tracker log file. The tester may reexecute the tracker file in its entirety or any portion selected by the tester as a means of determining the cause of an error in the software. The system also provides for error recovery. When an error is detected, the system restarts the test of the computer software and continues maintaining the log file and the tracker file. '315 fails to specify one or more code sections that identify one or more software components to test; one or more location sections that identify one or more locations to run the one or more software components; at least one expandable variation section that associates the one or more software components with the one or more locations; and an expansion section

that defines rules for creating one or more expanded variation sections and associating a particular software component with a particular location, as now recited in claims 1, 8, 16, 23, and 29 of the present invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

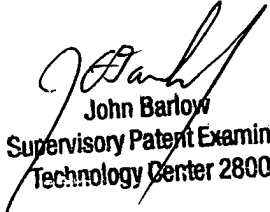
Contact Information

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John H. Le whose telephone number is 571-272-2275. The examiner can normally be reached on 7:00 - 3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

John H. Le
Patent Examiner-Group 2863
December 1, 2004


John Barlow
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